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C O N F I D E N T I A L SECTION 01 OF 03 KAMPALA 000055

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E.O. 12958: DECL: 2020/02/04
TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [KGHG](#) [SENV](#) [ENRG](#) [UG](#)
SUBJECT: UNDER SECRETARY OTERO'S MEETING WITH MINISTER OF
INTERNATIONAL AFFAIRS

REF: 09 KAMPALA 00979; 10 KAMPALA 41; 10 KAMPALA 47; 10 KAMPALA 45
10 STATE 3079

CLASSIFIED BY: Aaron Sampson, Pol/Econ Chief; REASON: 1.4(B), (D)

¶1. (C) Summary: Under Secretary for Democracy and Global Affairs Maria Otero raised U.S. concerns over Uganda's preparations for the 2011 elections and the draft anti-homosexuality bill with the State Minister for International Affairs Henry Okello Oryem on January ¶29. Oryem rebuffed perceptions of the Electoral Commission as partial toward the ruling National Resistance Movement (NRM), and justified restrictions on press freedoms and opposition parties' right to assemble as necessary to maintain stability. Oryem stressed the counter-productive nature of additional public international pressure against the draft anti-homosexuality bill, and said Cabinet is working quietly to water-down or derail the legislation. Oryem reiterated Uganda's commitment to pursue the Lord's Resistance Army, and confirmed Uganda's support for the Copenhagen Accord. End Summary

No Quarter on Electoral Commission

¶2. (C) Under Secretary Otero, DRL Deputy Assistant Secretary Daniel Baer, the DCM and PolOffs registered concerns about the impartiality of Uganda's Electoral Commission with State Minister for International Affairs Oryem on January 29. Oryem acknowledged opposition party and civil society concerns about the Commission's lack of independence, stating that he would make similar complaints were he an opposition leader. However, Oryem said President Museveni believes the Commission managed the 2006 elections well and that Commission members were reappointed in accordance with constitutional requirements.

¶3. (C) Under Secretary Otero noted that legal requirements governing the appointment of the Electoral Commission do not preclude the President from consulting with opposition parties, and that his decision not to do so increased suspicion and constituted a lost political opportunity (ref. A). Oryem said adhering to the law is all that matters, that Museveni is entitled by the Constitution to appoint the Electoral Commission, and accused western governments of similarly tilting playing fields during election years. "In the same manner that you perceive the Electoral Commission as unfairly appointed," said Oryem, "we have views on things in your country. It is all politics." The Under Secretary responded that not everything is politics and that certain essential principles must be in place to assure a democratic process.

Opposition Meetings and Press Freedoms

14. (C) Turning to restrictions on the opposition's ability to assemble and press freedoms, Under Secretary Otero urged Uganda to work with opposition parties to ensure space for lawful assemblies. Oryem said the Inspector General of Police (IGP) is negotiating with opposition parties to reach an agreement on this issue, and assured the Under Secretary that the IGP has the political authority to undertake this kind of negotiation. Under Secretary Otero said it would also be helpful if President Museveni reminded the police of the need to assure freedom of assembly. Oryem expressed certainty that Museveni directed the IGP to dialogue with opposition leaders for exactly this reason. NOTE: On February 2, the spokesman for the opposition Forum for Democratic Change (FDC) party told PolOff that no discussions with the IGP are on going, but that an oft-postponed memorandum of understanding between opposition parties and the NRM may include an agreement on space

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for political rallies. The IGP later confirmed to RSO that this memorandum, which is brokered by the Netherlands Institute for Multiparty Democracy (NIMD), should include language on the opposition's right to assemble. NIMD's director told PolOff on February 4 that the IGP was not involved and that freedom of assembly is referenced in the memorandum's preamble. END NOTE.

15. (C) Oryem said Ugandan media enjoys more freedom than any other media in the region, and that the Ugandan government is simply seeking accountable, responsible journalism. Under Secretary Otero and the DCM challenged Oryem's comparative assessment of press freedoms, noting that Uganda has silenced many local journalists by threatening or initiating legal action (ref. B), and that local media is not as free as it should be in the run up to democratic elections. In response, Oryem advised the U.S. not to judge Uganda by western standards. He recommended patience, and said change in Africa happens slowly. He suggested that Uganda will work out issues like media freedoms over the next 10 to 15 years.

16. (C) Under Secretary Otero noted that Uganda's management of the 2011 election process will influence President Museveni's legacy and place in history. Oryem pledged to do everything possible to ensure the elections are free and fair. Implicitly referencing recent election-related unrest in neighboring countries, he then asked the U.S. to engage with opposition parties, parliament, and other political actors to remind them of the dangers of political instability and to advise against "copy cat" scenarios.

Anti-Homosexuality

17. (C) Oryem also advised patience on the anti-homosexuality bill, stating that Uganda is trying to craft a "win-win" situation for all stakeholders without provoking a backlash in Parliament and with the public. He urged the U.S. and other international donors to "take time out to consider and appreciate" the perspective of Uganda and Africa in general, and said additional "noise" on this

issue from the international community plays into the hands of those supporting the bill.

¶18. (C) Asking his note takers to leave subsequent statements out of the Ministry's official record, Oryem assured the Under Secretary that Cabinet is moving to quietly shelve the bill without agitating core members of the NRM caucus. He described the January 20 Cabinet meeting on the bill (ref. C) as a "free for all" that revealed the previously unknown positions of several Cabinet members. "Now we know who is who," said Oryem, " and how to deal with it. It will be worked out."

LRA and Climate Change

¶19. (C) The Under Secretary praised Uganda's continued pursuit of the LRA, and reinforced the U.S. commitment to support Uganda in this effort. Oryem said President Museveni is determined pursue the LRA, but that Uganda needs help from the Democratic Republic of Congo and Sudan to secure areas previously inhabited by LRA fighters.

¶10. (U) Oryem also confirmed Uganda's intention to associate to the Copenhagen Accord on global climate change (ref. E). Earlier on January 29, Minister of Water and Environment Maria Mutagamba told

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the Under Secretary that President Museveni has already agreed to support the accord.

Comment: Setting the Electoral Stage

¶11. (C) Under Secretary Otero notified the Foreign Ministry of our intention to monitor and "actively promote" the independence of the electoral commission, electoral transparency, freedom of movement and assembly, and freedom of the press per the new Congressional reporting requirement for the 2011 elections. Perceptions and trends relating to Uganda's preparations for the elections are not encouraging, but there is still time to put the elections on track. Although Oryem's justifications were as predictable as they were disappointing, we believe our message will filter up to President Museveni and down to the police and others responsible for making every day decisions related to Uganda's 2011 electoral process.

¶12. (C) On anti-homosexuality issue, Oryem reinforced recent appeals by President Museveni and Foreign Minister Kutesa (refs C and D) to give Uganda the political and rhetorical space needed to address the bill internally. However, as the GOU finally starts to grapple with the bill, it remains unclear whether Cabinet intends to drop the bill altogether, as President Museveni and Foreign Minister Kutesa have implied , or seek a middle ground by allowing it to move forward without the death penalty and reporting requirements.

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